

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

PAUL JOHN DENHAM,  
Plaintiff,

v.

S. SHERMAN, et al.,  
Defendants.

Case No. 1:20-cv-01645-ADA-CDB (PC)

**ORDER DENYING AS MOOT  
PLAINTIFF’S APPLICATION TO  
PROCEED *IN FORMA PAUPERIS***

(Doc. 40)

On March 27, 2023, Plaintiff filed a document titled “Application to Proceed In Forma Pauperis By A Prisoner That Did Not File Action In the United States District Court.” (Doc. 40.) Briefly stated, Plaintiff indicates he originally filed this action in the Sacramento Superior Court and that Defendants removed the action to this Court. (*Id.* at 1.) Plaintiff states he is indigent, does not earn an income, and has no funds or assets with which to pay a filing fee. (*Id.* at 2.) As a result, Plaintiff requests the Court allow him to proceed *in forma pauperis*. (*Id.*)

Plaintiff’s application to proceed *in forma pauperis* will be denied as moot. When Defendants removed this action from state court to this Court, Defendants paid the required filing fee. (*See* Doc. 1 docket entry dated 11/13/2020 [filing fee paid, “receipt number 0972-9242152].) Because Defendants paid the filing fee for this action, Plaintiff is not obligated to pay any filing fee.

//

1 Accordingly, **IT IS HEREBY ORDERED** that Plaintiff's motion to proceed *in forma*  
2 *pauperis* (Doc. 40) is **DENIED** as **MOOT**.

3 IT IS SO ORDERED.

4 Dated: **April 4, 2023**

5   
UNITED STATES MAGISTRATE JUDGE